Injury Management and Return to Work Program Procedure

Section 1 - Purpose

(1) This procedure sets out processes and responsibilities for:

a. managing employee work-related injuries and/or illnesses where workers compensation plans and injury management plans are necessary, and
b. supporting employees with work-related injuries and/or illnesses to return to and recover at work in a timely and safe manner.

(2) This procedure provides the injury management program and return to work program for Charles Sturt University (the University) and ensures compliance with:

a. Work Health and Safety Act 2011 (NSW)
b. Workplace Injury Management and Workers Compensation Act 1998.

Scope

(3) This procedure applies to all employees, supervisors and leaders.

Section 2 - Policy

(4) This procedure supports the Health, Safety and Wellbeing Policy.

Section 3 - Procedures

University leadership and commitment

(5) The University is committed to providing a timely and efficient return to work program with the aim of restoring the injured employee to their pre-injury physical, psychological, social and vocational capacity and status.

(6) The University is committed to:

a. educating all employees about the return to work program and processes, including the importance of early notification of injury via the incident reporting system
b. developing a culture that promotes recovery at work by fostering positive attitudes towards employees recovering at work
c. returning an injured employee to work as soon as practicable (subject to medical recommendations), and
d. maintaining the confidentiality of rehabilitation records in accordance with privacy provisions.

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to the CSU Policy Library for the latest version.

Injury management and return to work process

(7) Where an employee acquires a work-related injury or illness that requires an injury management plan and/or return to work plan, the key steps are to:

a. seek medical attention
b. report the injury or illness
c. make necessary medical and insurance arrangements, and
d. return to work/recover at work.

Seek medical attention

> Note: The Health, Safety and Wellbeing Procedure - Incident Reporting and Investigation and First Aid Procedure set out how incidents, accidents and injuries will be treated by the University. This procedure anticipates that these procedures or another appropriate incident or accident response has been enacted and the injured employee has received immediate necessary treatment.

(8) An employee with a work-related injury and/or illness must obtain medical attention from their nominated treating doctor (NTD) and, as soon as practicable, obtain a certificate of capacity/certificate of fitness outlining the required treatment and the employee's capacity for work.

Report the injury

(9) The employee, or someone acting on their behalf, must report the injury or illness as soon as possible, preferably within 24 hours:

a. to their manager or supervisor, and
b. via the online Incident and Hazard Reporting System, providing details of the incident and including contact details of the treating doctor where required.

(10) The employee's manager or supervisor must:

a. ensure work injuries are promptly reported to the online Incident and Hazard Reporting System within 24 hours, and
b. investigate the incident or accident that caused the injury or illness and implement any necessary actions or controls in accordance with the Health, Safety and Wellbeing Procedure - Incident Reporting and Investigation.

(11) The Adviser, Injury Management (also known as the Return to Work Coordinator) will:

a. notify the University's workers' compensation insurer of the injury or illness within 48 hours. This may involve liaison with the manager/supervisor to gather further information about the incident or accident and/or the injured employee
b. ensure that all necessary work injury documents are lodged with the insurer within 48 hours of receipt
c. notify the Division of People and Culture (DPC) via the University's online reporting system of an injury or illness that may be related to allegations of bullying, harassment, serious misconduct, or other inappropriate behaviour. Such incidents will be reviewed by DPC under the relevant Complaints Management Policy and procedure
d. contact the employee within one business day and provide the claim number and any other information including next steps.

Make necessary medical and insurance arrangements

(12) The employee, or someone acting on their behalf, will complete the following actions:

a. Provide consent for the nominated treating doctor (NTD), employer, insurer and other key stakeholders to exchange information for the purpose of managing the injury/illness. This is done via the signed SIRA Certificate of Capacity or the Standard Form for Release of Personal Information.
b. (Optional) Complete a personal or other leave request if paid leave is required until a compensation claim is considered and accepted. If the claim is accepted, then any leave used will be re-credited to the employee's leave balance. If the employee has no leave available, they will not receive wages from either the University or insurer unless the claim is accepted. See also clause 15 for if the claim is not accepted.
c. Complete a workers compensation claim form if requested to do so by the insurer (not all claims require the completion of a workers compensation claim form).
d. Provide a certificate of capacity/certificate of fitness issued by their NTD to the Adviser, Injury Management (with a copy to the supervisor and Payroll) within 24 hours of their issue.
e. Promptly report all absences relating to any compensable injury and providing supporting medical certificates.
f. Attend medical examination(s) conducted by a doctor chosen by the University and/or the insurer if requested to do so. These examinations are intended to ensure that the employee is receiving appropriate medical treatment and to facilitate a prompt return to work. If an employee refuses to attend a medical examination, the legislation dictates that compensation payments may be suspended until an examination takes place.
g. Report a recurrence or aggravation of the injury to their manager/supervisor and Adviser, Injury Management as soon as possible. A recurrence or aggravation claim is not automatically accepted and the insurer will reassess the claim.

(13) The Adviser, Injury Management will complete the following actions:

a. Ensure early contact with the injured worker, supervisor/manager and NTD/rehabilitation provider to coordinate recovery at work and identify suitable employment arrangements.
b. Advise, provide support and maintain positive communication with the injured worker, manager/supervisor and other relevant stakeholders regarding the workplace injury management and workers compensation processes.
c. Coordinate the employee's recovery at work, including preparing, monitoring and reviewing a return to work plan (in consultation with key parties) that documents the employee's capacity and duties available.
d. Implement return to work plans in accordance with work injury legislation.
e. Ensure that all necessary work injury documents are lodged with the insurer within 48 hours of receipt.
f. Maintain an injury register.

(14) If a statutory rate of workers compensation becomes payable to the employee, the University may arrange for the insurer to take over direct payments of ongoing benefits until the staff member is deemed fit to return to work at the University.

(15) If the claim is not accepted (disputed), leave balances will not be reimbursed. The insurer will write to the employee and explain the employee's right to request a review of the decision to dispute liability in respect of a workers compensation claim.

Return/recover at work plans

(16) The University will support the employee by providing suitable work (as far as reasonably practicable) when a worker is able to return to work, either on a full-time or part-time basis.

(17) Under relevant state workers compensation legislation, the University is required to provide suitable work that is

(as far as reasonably practicable) the same as or equivalent to the work being performed at the time of the injury.

(18) The University can give no undertaking to provide employment on an unlimited basis where an employee is not able to return to their pre-injury duties but remains certified fit for limited work.

(19) An individual return to work plan or program will be developed to the specific needs of the employee in consultation with manager(s), Adviser, Injury Management, employee, treating doctor and, where requested by the employee, their support person. Return to work plans will be used to set goals, ensure roles and responsibilities are understood, and agree on time frames to return/recover at work.

(20) A return to work plan may involve:

a. the same job with:
    i. different hours
    ii. modified duties
    iii. modified workplace, and/or
    iv. the same or a different workplace
b. a different job
c. a training opportunity, or
d. a combination of these options.

(21) Suitable employment will be identified based on:

a. the employee's capacity for work
b. physical demands of the tasks
c. psychological, cognitive and social demands of the tasks
d. work environment (e.g. accessibility, working alone or in noisy environments)
e. risk management to reduce the risk of further injury
f. training and education that is available to help the employee complete different tasks
g. psychosocial factors that might influence the employee's recovery (e.g. proximity to familiar colleagues if working at a different site), and
h. contribution to the workplace (e.g. ensuring the employee is given meaningful work that adds value.

Roles and responsibilities

(22) Roles and responsibilities in relation to injury management and return to work programs are set out in the following table:

Role	Responsibility/authority
Adviser, Injury Management	Authority to represent and make decisions for the University in relation to: 1. preparing, monitoring and reviewing recover at work plans in consultation with all stakeholders 2. referring workers to external rehabilitation providers where deemed appropriate or requested by the NTD 3. recommending rehabilitation services if these are not provided through the workers compensation claim 4. where an injury results in a disability, refer as necessary to Equity, Diversity and Inclusion for consideration of an appropriate disability action plan, in accordance with the Disability and Work or Study Adjustment Policy 5. arranging interpreters as required 6. providing education, training and support 7. creating and maintaining confidential case records in line with recordkeeping and privacy legislation and University policies.

Role	Responsibility/authority
Managers and supervisors, including the relevant organisational units' leaders	1. Participate in the consultation process. 2. Liaise with the Adviser, Injury Management to identify suitable duties if required. 3. Be actively involved in implementing, monitoring and ensuring compliance with the return to work plans. 4. Provide appropriate ergonomic work equipment as recommended by the treating doctor and/or the Adviser, Injury Management. 5. Report to the Adviser, Injury Management any difficulties that the staff member may have in performing their suitable duties.
Employees returning/recovering at work	1. Cooperate and show commitment to the process of injury management. 2. Focus on recovery and aim to stay at work in some capacity or return to work as soon as possible. 3. Engage in supports and services available to help them take an active role in their recovery at work as their capacity for work increases. 4. Attend treatment as directed by the NTD or specialist. 5. Stay in touch with the University and the people they work with – there may be training opportunities that can be undertaken while recovering. 6. Adhere to any conditions and undertake all activities agreed to as part of their return to work plan. 7. Ensure their certificate of capacity or certificate of fitness is current and is forwarded to the Adviser, Injury Management. 8. Provide a certificate of capacity or certificate of fitness for injury/illness related workplace absences.
Colleagues/fellow staff members	1. Support the return to work of the injured employee and create a positive accepting environment. 2. Not hinder aid to an injured staff member. 3. Not interfere with or misuse equipment provided for the health, safety and welfare of the injured staff member. 4. Cooperate in reasonable workplace changes designed to assist rehabilitation of fellow staff members.

Attending medical appointments during working hours

(23) An employee, working full-time hours, may be entitled to attend medical/treatment appointments for work-related injuries/illnesses during work time. Where possible, appointments should be made either at the beginning or towards the end of the shift. If disruption is unavoidable, then the employee must discuss this with their manager/supervisor prior to appointments being made.

(24) Employees undergoing rehabilitation on reduced normal hours are expected to make appointments outside these reduced hours. If this is not possible, then the employee must discuss this with their manager/supervisor prior to appointments being made.

(25) Employees must provide a certificate of attendance for all medical appointments/treatment, including physiotherapy, in order to receive pay for time lost.

(26) Where compensation has been approved, the insurer will pay for reasonable time to attend medical appointments. Health, Safety and Wellbeing may be contacted if clarification is required.

Disputing an outcome or assessment

(27) In cases where the employee disagrees with an outcome or assessment, the first step is to contact the University's Adviser, Injury Management to discuss resolving the dispute.

(28) Employees can also contact the insurer and ask for help resolving the dispute. The insurer can discuss the issue(s) with all parties and attempt to resolve the dispute. They may also engage an injury management consultant or an approved workplace rehabilitation provider.

(29) Where a complaint is about the insurer and cannot be resolved with them in the first instance, employees can contact the Workers Compensation Independent Review Office.

(30) Where a dispute relates to the University, employees can get help from the State Insurance Regulatory Authority (SIRA).

(31) The Personal Injury Commission is an independent tribunal that helps resolve workers compensation disputes between workers, employers and/or insurers.

Weekly benefits

(32) When an employee has a work-related injury/illness, and they are unable to perform their full pre-injury duties, they may be paid a percentage of their pre-injury average weekly earnings (known as PIAWE) for a set period.

(33) The University will provide the information as requested by the insurer to enable them to determine the entitlement. How a PIAWE is calculated is set by legislation and the insurer will use this to determine how much the employee will be paid. The maximum amount is capped. For more information refer to the 'Weekly payments' heading in Injured at work: A recovery at work guide for workers.

(34) Weekly payments should commence within seven days after the insurer has been notified of the claim unless the insurer has provided the employee with a reasonable excuse not to. To receive weekly payments, employees must have a current certificate of capacity from their NTD.

(35) The University pays injured employees at the usual time wages are paid. Employees are required to notify the Adviser, Injury Management and DPC of any change in employment that affects their earnings such as commencing work for another employer.

Section 4 - Guidelines and other resources

(36) External resources that support this procedure include:

a. SIRA Workers compensation guidelines
b. SIRA - Injured at work: A recovery at work guide for workers
c. SIRA - Guidelines for workplace return to work programs
d. When a worker is injured. A workers compensation guide for employers.

Section 5 - Glossary

(37) For the purposes of this procedure, the following definitions apply:

a. Adviser, Injury Management – is the position within the University accredited by SafeWork NSW and responsible for coordinating the compensation claims and rehabilitation of staff who have a compensable injury, illness or disease. The Adviser, Injury Management is also the return to work coordinator for the purpose of the State Insurance Regulatory Authority's return to work guidelines.
b. Injury management plan - means a plan for coordinating and managing those aspects of injury management that concern the treatment, rehabilitation and retraining (where indicated) of an injured staff member, for the purpose of achieving a timely, safe and durable return to work for the staff member.
c. Injury management program – means an insurer-developed strategy for managing all aspects of workplace injuries and illnesses.
d. Nominated treating doctor (NTD) – means the medical practitioner (or medical practice) nominated by the

injured employee who will work with the University and insurer in developing and implementing the injury management plan, as per Workplace Injury Management and Workers Compensation Act 1998 (NSW) s 47.

e. Rehabilitation provider - means a person or company accredited by SafeWork NSW to provide occupational rehabilitation services to injured staff.
f. Return to work coordinator – see Adviser, Injury Management.
g. Return to work plan - means the individual return to work plan or program developed to the specific needs of the employee in consultation with manager(s), injury management coordinator, employee and, where requested by the employee, their support person.
h. Selected duties - means an employee's usual duties modified to eliminate tasks that may aggravate the injury, illness or disability; duties selected from the staff member's usual range of duties, which are compatible with their physical and/or psychological constraints.
i. Significant injury - means a workplace injury that is likely to result in the staff member being incapacitated for a continuous period of more than seven days, whether or not any of those days are work days and whether or not the incapacity is total or partial or a combination of both.
j. Suitable duties - means duties for which an injured staff member is suited while recovering from an injury. Suitable duties may include alternate and/or selected duties.
k. Work-related injury or illness - means any injury or illness that arises in the course of, or in connection with, a staff member's work, and to which the work is the main contributing factor.

Status and Details

Status	Historic
Effective Date	20th December 2023
Review Date	20th December 2026
Approval Authority	Chief Operating Officer
Approval Date	19th December 2023
Expiry Date	18th December 2024
Unit Head	Frank Tamsitt Executive Director, Safety, Security and Wellbeing
Author	Andrea Bishop Associate Director, Health, Safety and Wellbeing
Enquiries Contact	Health, Safety and Wellbeing

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to the CSU Policy Library for the latest version.